GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Dr. B. Chandra Sekhar, Joint Director, O/o DIMS, Vijayawada and the then Joint Director, Insurance Medical Services, Kadapa - Departmental proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Articles of Charges - Issued.

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LABOUR, FACTORIES, BOILERS AND IMS (IMS&VIG) DEPARTMENT

G.O.Rt.No.167 Dated:11.05.2022

Read the following:

1.From the DG, (V&E) & E.O. Prl. Secy. to Govt. VR.No.1, (C.No.2982/ V&E/Sec.II/D2/2019-1&2&836/V&E/Sec.II/D2/2019-1) Dt.03.01.2020.
2.From the Director of Insurance Medical Services, A.P., Vijayawada Lr.Rc.No.1625923/SM/DIMS/2022, dated:15.03.2022.

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ORDER

It is proposed to hold an inquiry against Dr. B. Chandra Sekhar, Joint Director, O/o DIMS, Vijayawada and the then Joint Director, Insurance Medical Services, Kadapa in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed Statement of Articles of Charges (Annexure-I). A statement of imputations of misconduct or misbehavior on which action is proposed to be taken against him is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the Articles of charges are proposed to be sustained are also enclosed (Annexure - III & IV).

3. Dr.B.Chandra Sekhar, Joint Director, O/o DIMS, Vijayawada and the then Joint Director, Insurance Medical Services, Kadapa is directed to submit his written statement of defense within 10 days from the date of receipt of this Government Order a written statement of his defence and also to state whether he desires to be heard in person.

4. Dr.B.Chandra Sekhar,Joint Director, O/o DIMS, Vijayawada nd the then Joint Director, Insurance Medical Services, Kadapa is further informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Dr. B. Chandra Sekhar, Joint Director, O/o DIMS, Vijayawada and the then Joint Director, Insurance Medical Services, Kadapa is further informed that if he does not submit his written statement of defense on or before the date specified in Para-3 above or does not appear in person before the Inquiry Authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him exparte.

6. Attention of Dr. B. Chandra Sekhar, Joint Director, O/o DIMS, Vijayawada the then Joint Director, Insurance Medical Services, Kadapa is invited to rule 24 of the A.P. Civil Services (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to furtherance of his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another persons in respect of any matter dealt with these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964.

7. Attention of Dr. B. Chandra Sekhar, Joint Director, O/o DIMS, Vijayawada the then Joint Director, Insurance Medical Services, Kadapa is specifically informed, that this order does not preclude the disciplinary authority to frame fresh charges, if any other irregularities are noticed during the course of disciplinary action.

(P.T.O)

8. The receipt of this G.O. should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Dr. B. Chandra Sekhar, Joint Director, O/o DIMS, Vijayawada and the then Joint Director, Insurance Medical Services, Kadapa through the Director, Insurance Medical Services, Andhra Pradesh, Vijayawada.
Copy to:
The Director, Insurance Medical Services, Andhra Pradesh, Vijayawada with a request to serve the Articles of charge on the individual and furnish the dated ACK. of served copy for record.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - I

**Statement of Article of Charges framed against Dr. B. Chandra Sekhar, Joint Director, O/o DIMS, Vijayawada and the then Joint Director,Insurance Medical Services, Kadapa.**

That the said Dr.B.Chandra Sekhar, Joint Director, O/o Director, Insurance Medical Services, Andhra Pradesh, Vijayawada while working as Joint Director, Insurance Medical Services, Kadapa from 30.06.2018 to 12.07.2019, had committed the grave misconduct and irregularities as mentioned in the article of charges.

**Article of Charge -1**

That Dr. B. Chandra Sekhar while working as Joint Director, Insurance Medical Services, Kadapa Placed indents for the drugs and other material, which are not available in RC to Director, IMS without receiving any indents from the dispensaries panel clinics by violating the G.Os / guidelines issued by State Govt. / ESIC in order to extend undue favour to Non RC firms.

**Article of Charge -2**

That Dr. B. Chandra Sekhar while working as Joint Director, Insurance Medical Services, Kadapa he has prepared 06 indents directly by himself and submitted the same to the Director, IMS, Vijayawada, on which the Director, IMS, Vijayawada has sent medicines and others to a tune of Rs.29,03,65,024/- along with purchase orders which is in and contrary to G.O.Ms.No.51.

*By his above mentioned acts, he has exhibited lack of integrity, irresponsible towards his legitimate duties, maintaining integrity, devotion to duty and unbecoming of a Government Servant and hereby violated Rule 3(i) of the AP Civil Services (Conduct) rules, 1964.*

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

K. Vijaya Kumari
SECTION OFFICER

ANNEXURE - II

Statement of imputations of misconduct and irregularities in support of Article of Charges framed against Dr. B. Chandra Sekhar, Joint Director, O/o DIMS, Vijayawada the then Joint Director, Insurance Medical Services, Kadapa.

The Vigilance & Enforcement officials have enquired regarding the misappropriation in the Directorate of Insurance Medical Services, Andhra Pradesh, Vijayawada in procurement of Drugs, Medical Equipment, Biometric Machines, Furniture, engaging the services of call center and ECG Test through M/s. Tale Health Services and establishment of Sewage Treatment plants at 03 Hospitals and one Diagnostic Center through M/s. Jalam Environmental Pvt Ltd., during the tenure of previous three I/c. Directors of Insurance Medical Services i.e., Dr. B. Ravi Kumar (01-11-2014 to 05-07-2016), Dr. C.K. Ramesh Kumar (06-07-2016 to 01-11-2017) and Dr. G. Vijaya Kumar (02-11-2017 to 07-05-2019) and submitted report to the Government. The following are the lapses, irregularities noticed during the enquiry

1. The Department of Labour, Employment, Training & Factories (IMS) formulated the comprehensive policy guidelines for purchase of Drugs & Medicines and Medical equipment in Insurance Medical Services Department vide G.O.Ms.No.51, Dt.09.04.2012 of LET&F Dept,.

As per the said GO, Director of Insurance Medical Services shall obtain indents from the in-charge Medical Officers of the Dispensaries routed through Joint Directors concerned and purchasing system shall be centralized at the Directorate level.

It is found that the JD, Kadapa addressed the Director, IMS requesting to make necessary arrangements to transfer 45 items of the drugs worth Rs.8.14 Cr, which are not much required by Incharge Medical Officers of dispensaries of his region to other unit officers Dispensaries Hospitals of other region. Similarly on verification of drug store of JD, Vijayawada, similar drugs worth Rs.6.99 Cr are found lying as on 31.07.2019.

It is obvious that drugs worth Rs.8.14 Cr are lying in JD, Kadapa drugs store and drugs worth Rs.6.99 Cr are found lying in JD, Vijayawada drug store without any requirement for Incharge Medical Officers of dispensaries. An amount of Rs.15.13 Cr value of drugs are found un-utilised in JDs drug store as on 31.07.2019. The amount Rs.15.13 Cr spent for un-indented drugs can be counted as wasteful expenditure and loss to the Govt. exchequer. Further, it is noticed that the JD, Vijayawada adjusted those stocks to various ESI entities without indent. This can also be treated as wasteful expenditure. The JD, Kadapa kept those medicines in his stores waiting for instructions from DIMS for their disposal.

2. During his tenure as Joint Director, Kadapa he submitted indents to Director, Insurance Medical Services based on the demand of the Incharge Medical Officers during his visit to Dispensaries

While working as Joint Director, Insurance Medical Services, Kadapa from 30.06.2018 to 12.07.2019, he placed one regular indent and 5 emergency indents without receiving any indents from Dispensaries by violating the orders issued by the Government vide G.O.Ms.No.51, Dt.09.04.2012 of LET&F Dept.

The following table showing the drugs received by Dispensaries / Hospitals / Panel clinics without indents and over & above the indented items.

| Sl. No. | District | Drugs received without indent (Crs) | Drugs received over & above indented items (Crs) |
|---|---|---|---|
| 1. | SPSR Nellore | 23.35 | 1.78 |
| 2. | Chittoor | 5.11 | 0.17 |
| 3. | Anantapuram | 3.62 | 0.79 |
| 4. | Kurnool | 13.26 | 0.00 |
| 5. | Kadapa | 8.13 | 0.82 |

The ESI Dispensary, Ananthapuram received Rs.3.19 Cr worth drugs without indents and over & above the indented items. The ESI Dispensary, Guntakal received Rs. 1.06 Cr worth drugs without indents and over & above the indented items. The ESI Dispensary, Tadipatri received Rs. 1.80 Cr worth drugs without indents and over & above the indented items.

The Joint Directors (Dr.V.V.Krishna Kumari, Dr.V.Janardhan and Dr.B.Chandra Sekhar), Kadapa, during their tenure, they placed indents worth 106.59 Cr (Rs.45.80 Cr Non RC drugs + Rs.60.79 Cr RC Drugs) without receiving any indents from 28 dispensaries in order to get huge commissions from the Non RC firms in violation of G.O.51.

From this, it is evident that he has exhibited lack of integrity, irresponsible towards his legitimate duties, maintaining integrity, devotion to duty and unbecoming of a Government Servant and hereby violated Rule 3(i) of the AP Civil Services (Conduct) rules, 1964.

Hence, the charges.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

K. Vijaya Kumari
SECTION OFFICER

ANNEXURE - III

List of documents on the basis of which the Article of Charges framed against Dr. B. Chandra Sekhar, Joint Director, O/o DIMS, Vijayawada the then Joint Director, Insurance Medical Services, Kadapa.

1. G.O.Ms.No.51, Dt.09.04.2012 of LET&F Dept.
2. Circular No.13/CDS/2014, Dt.31.05.2016 of the Director, Insurance Medical Services
3. Purchase procedure guidelines of ESIC vide LR.NO.U-16/52/2001/MED-III (AP), dt.22.11.2016.
4. Letter Rc. No.37/Stores/JDIMS /KDP/2018 Dt. 07.08.2019 & 01.10.2019 of JD, Kadapa addressed to DIMS
5. Vigilance Report No. 01 (C.No. 2982/V&E/Sec-II/D2/2019-1,2 & 836/DG/V&E/Sec-II/D2/2019) Dt. 03.01.2020 of the Director General (V&E) & E.O. Prl. Secretary to Government, General Administration (Vigilance & Enforcement) Department.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - IV

List of witness by whom the Article of Charges framed against Dr. B. Chandra Sekhar, Joint Director, O/o DIMS, Vijayawada the then Joint Director, Insurance Medical Services, Kadapa.

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G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

K. Vijaya Kumari
SECTION OFFICER